



[4910-13]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2013-0806; Airspace Docket No. 13-ASO-21]

Proposed Amendment of Class D and Class E Airspace, and

Proposed Establishment of Class E Airspace; Tri-Cities, TN

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to amend Class D and Class E Airspace, and establish Class E airspace at Tri-Cities Regional Airport, Tri-Cities, TN.

Airspace reconfiguration would alleviate traffic issues in the surrounding area for Johnson City Airport and Edwards Heliport so flights could navigate in and out of their respective airports in Visual Flight Rules conditions under 700 feet. This would enhance the safety and airspace management of Instrument Flight Rules (IFR) operations in the area.

DATES: Comments must be received on or before [INSERT DATE 45 DAYS FROM THE DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: Send comments on this rule to: U. S. Department of Transportation, Docket Operations, West Building Ground Floor, Room W12-140, 1200 New Jersey, SE., Washington, DC 20590-0001; Telephone: 1-800-647-5527; Fax: 202-493-2251. You must identify the Docket Number FAA–

2013-0806; Airspace Docket No. 13–ASO–21, at the beginning of your comments. You may also submit and review received comments through the Internet at <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: John Fornito, Operations Support Group, Eastern Service Center, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305-6364.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to comment on this rule by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal.

Communications should identify both docket numbers (FAA Docket No. FAA-2013-0806; Airspace Docket No. 13-ASO-21) and be submitted in triplicate to the Docket Management System (see “ADDRESSES” section for address and phone number). You may also submit comments through the Internet at <http://www.regulations.gov>.

Persons wishing the FAA to acknowledge receipt of their comments on this action must submit with those comments a self-addressed stamped postcard on which the following statement is made: “Comments to Docket No.

FAA-2013-0806; Airspace Docket No. 13-ASO-21.” The postcard will be date/time stamped and returned to the commenter.

All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of the comments received. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRMs

An electronic copy of this document may be downloaded from and comments submitted through <http://www.regulations.gov>. Recently published rulemaking documents can also be accessed through the FAA’s web page at http://www.faa.gov/airports_airtraffic/air_traffic/publications/airspace_amendments/.

You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office (see the ADDRESSES section for address and phone number) between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal Holidays. An informal docket may also be examined during normal business hours at the office of the Eastern Service Center, Federal Aviation Administration, room 350, 1701 Columbia Avenue, College Park, Georgia 30337.

Persons interested in being placed on a mailing list for future NPRM’s should contact the FAA’s Office of Rulemaking, (202) 267-9677, to request a

copy of Advisory circular No. 11-2A, Notice of Proposed Rulemaking distribution System, which describes the application procedure.

The Proposal

The FAA is considering an amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 to amend Class D airspace, and Class E surface area airspace at Tri Cities Regional Airport, Tri-Cities, TN. Both the Class D airspace area and Class E surface area airspace would be reduced from a 6.8-mile radius of the airport to within a 4.3-mile radius of the airport.

The FAA found it necessary to establish Class E airspace designated as an extension to a Class D surface area at Tri-Cities Airport because removal of the previous airspace configuration caused congestion for pilots traveling to/from two neighboring airports, Edwards Heliport and Johnson City Airport (see 78 FR 7993, February 5, 2013). Controlled airspace would be established within a 4.3-mile radius of Tri-Cities Airport, with a segment extending from the 4.3-mile radius of the airport to 6.8 miles northeast of the airport. This action is necessary for continued safety and management of IFR operations in the Tri-Cities area.

Class D and E airspace designations are published in Paragraphs 5000, 6002, and 6004, respectively of FAA Order 7400.9X, dated August 7, 2013, and effective September 15, 2013, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in the Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore, (1) is not a “significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed rule, when promulgated, would not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

The FAA’s authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency’s authority. This proposed rulemaking is promulgated under the authority described in Subtitle VII, Part, A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This proposed regulation is within the scope of that authority as it would amend Class D and Class E airspace at Tri-Cities Regional Airport, Tri-Cities, TN.

This proposal would be subject to an environmental analysis in accordance with FAA Order 1050.1E, “Environmental Impacts: Policies and Procedures” prior to any FAA final regulatory action.

Lists of Subjects in 14 CFR Part 71:

Airspace, Incorporation by reference, Navigation (Air).

The Proposed Amendment:

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR Part 71 as follows:

**PART 71 --DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS;
AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS**

1. The authority citation for Part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

§71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9X, Airspace Designations and Reporting Points, dated August 7, 2013, effective September 15, 2013, is amended as follows:

Paragraph 5000 Class D Airspace

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ASO TN D Tri-Cities, TN [Amended]

Tri-Cities Regional Airport, TN/VA
(lat. 36°28'31"N., long. 82°24'27"W.)

That airspace extending upward from the surface to and including 4,000 feet MSL within a 4.3-mile radius of Tri-Cities Regional Airport. This Class D airspace area is effective during the specific days and times established in

advance by a Notice to Airmen. The effective days and times will thereafter be continuously published in the Airport/Facility Directory.

Paragraph 6002 Class E Airspace Designated as Surface Areas

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ASO TN E2 Tri-Cities, TN [Amended]

Tri-Cities Regional Airport, TN/VA
(lat. 36°28'31"N., long. 82°24'27"W.)

That airspace extending upward from the surface within a 4.3-mile radius of Tri-Cities Regional Airport. This Class E airspace area is effective during the specific days and times established in advance by a Notice to Airmen. The effective days and times will thereafter be continuously published in the Airport/Facility Directory.

Paragraph 6004 Class E Airspace Designated as an Extension to a Class D Surface Area.

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ASO TN E4 Tri-Cities, TN [New]

Tri-Cities Regional Airport, TN/VA
(lat. 36°28'31"N., long. 82°24'27"W.)

That airspace extending from the surface within 2.5- miles either side of the 043° bearing from Tri-Cities Regional Airport, extending from the 4.3-mile radius to 6.8-miles northeast of the airport. This Class E airspace area is effective during specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

Issued in College Park, Georgia, on **February 4, 2014**

ERIC FOX

**Acting Manager, Operations Support Group
Eastern Service Center, Air Traffic Organization**

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